

Date of Hearing: March 9, 2010
Time of Hearing: 10:00 a.m.
Place of Hearing: White Plains, NY

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
)	Case No. 09-22796 (RDD)
TESTWELL, INC.)	
)	
Debtor.)	AMENDED NOTICE OF MOTION
)	OF TD BANK, N.A. TO LIFT THE
)	AUTOMATIC STAY OR IN THE
)	ALTERNATIVE TO CONVERT
)	DEBTOR'S CASE TO A CASE
)	<u>UNDER CHAPTER 7</u>
)	
)	
)	
)	
)	

PLEASE TAKE NOTICE that, the Motion of TD Bank, N.A., Pursuant To Sections 105 and 362(d)(1) Of The Bankruptcy Code, To Lift The Automatic Stay, Or, In The Alternative, To Convert Debtor's Case To A Case Under Chapter 7, originally filed on May 14, 2009 (D.E. 15), which motion was originally scheduled for hearing on May 15, 2009, and was thereafter adjourned to May 26, 2009, and was thereafter adjourned to June 3, 2009, and was thereafter adjourned to June 22, 2009, and was thereafter adjourned to July 13, 2009, and was thereafter adjourned to July 21, 2009, and was thereafter adjourned to August 5, 2009, and was thereafter adjourned to September 8, 2009, and was thereafter adjourned to October 6, 2009, and was thereafter adjourned to January 7, shall now be heard in the Hon. Charles L. Bricant Jr. Federal Building and Courthouse, 300 Quarropas Street, White Plains, New York 10601-4140 on the 9th

day of March, 2010 at 10:00 a.m. of that day or as soon thereafter as counsel can be heard, at which time TD Bank, N.A. shall, upon the papers previously filed, seek an Order, pursuant to 11 U.S.C. §§ 105 and 362(d)(1), lifting the automatic stay and permitting it to recover its collateral, or in the alternative, pursuant to 11 U.S.C. §§ 1112(b)(2) and (4), converting the Debtor's case to a case under Chapter 7 of the Bankruptcy Code, together with such other, further and/or different relief as the Court may deem just and proper.

DATED: New York, New York
February 23, 2010

Respectfully submitted,

OTTERBOURG, STEINDLER, HOUSTON
& ROSEN, P.C.

By: /s/ Stanley L. Lane, Jr.
Stanley L. Lane, Jr. (SL 8400)
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by merger to Commerce Bank, N.A.)
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TO:

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Twenty Largest Unsecured Creditors
(see attached list)